

## **REMARKS**

### **Revocation of Power of Attorney**

Applicant is submitting herewith a REVOCATION OF POWER OF ATTORNEY AND APPOINTMENT OF NEW ATTORNEY naming Bruce H. Troxell as attorney of record in this patent application. A CHANGE OF ADDRESS notification is also submitted herewith. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form.

### **Claim Rejections**

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Oura (Japanese patent application No. JP 02 000 201793 A). Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Oura in view of Mizobe (US-5,249,104). Claims 2, 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claim.

### **Drawings**

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable.

### **New Claims**

By this Amendment, Applicant has canceled claims 1 and 3, amended claims 2, 4 and 5, and added new claim 6 to this application. It is believed that all of the claims in this application specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The claims recite a display seat for glass and crystal articles of display, comprising: a transparent seat body (1) having a recess (10) on a bottom thereof, the recess having a plurality of cavities (11); a circuit substrate board (3) inserted

into the recess of the seat body; and a plurality of light emitting diodes (2) connected to the circuit board, such that the circuit substrate board is connected to a power source to activate the plurality of light emitting diodes.

Claims 2, 4 and 5, which were indicated as being allowable, have been rewritten in independent form to include all of the limitations of the base claim. Claim 4 has been amended to overcome the objections set forth in the outstanding Office Action.

The cited reference to Oura discloses a UFO shaped coaster having a light emitting diode (2) on top of an acrylic board (2), a plastic cover (6) layered on the acrylic board, and an absorbing sheet (7) mounted on the center of the plastic cover.

Oura teaches a plastic cover having an absorbing sheet, but does not teach a seat body having a recess on the bottom thereof. Further, Oura does not teach the recess having a plurality of cavities, as does the present invention, nor does Oura teach that the circuit substrate board is inserted into the recess of the seat body, all required by new claim 6.

The cited reference to Mizobe discloses an optical display device including a printed circuit board (2), light sources (3) provided on a top face of the printed circuit board, a light transmissive member (5A) located above the circuit board, the light transmissive member having a plurality of cavities (6), a light dispersing plate (12) above the light transmissive member, a color sheet (11), above the light dispersing plate, a half mirror (10) above the color sheet, a box-like member (7), and a non-transparent coating film (9) coating the top of the box-like member.

Mizobe teaches a box-like member covering the light transmissive member and the circuit board, and a light transmissive member having a plurality of cavities, wherein a light dispersing plate, a color sheet, and a half mirror are positioned between the light transmissive member and the box-like member. However, Mizobe does not teach a transparent seat body having a recess on a bottom thereof, the recess having a plurality of cavities, as in the present invention. Further, Mizobe teaches the light transmissive member having a plurality of cavities positioned above the circuit board, and the box-like member covering the top and sides of the light transmissive member, and the sides of the circuit board, which is unlike the present

invention that teaches the circuit substrate board being inserted into the recess of the seat body.

Even if the teachings of Oura and Mizobe were combined, as suggested by the Examiner, the resultant combination does not suggest a transparent seat body having a recess on a bottom thereof, the recess having a plurality of cavities, nor does the combination teach the circuit substrate board being inserted into the recess of the seat body, as in Applicant's claims.

It is a basic principle of the United States Patent Laws that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of the applicant's disclosure to create a hypothetical or fictional combination which allegedly renders a claim obvious unless there is some direction in the selected prior art patents to combine the selected teachings in a manner to negate the patentability of the claimed subject matter.

The Courts have advocated that even if the prior art may be modified, the modification is not obvious unless the prior art suggests the desirability for the modification. For example, in *In re Fritch*, 922 F.2d 1260, 23 USPQ.2d 1780 (Fed. Cir. 1992), the Court held, at page 1783:

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.

Neither Oura, nor Mizobe disclose, or suggest a modification of the specifically disclosed structure that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

**Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: June 12, 2003

By:

  
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